

Planning & Zoning Public Hearing
Amendments to the Billings County Zoning Resolution No. 1
Date: September 7, 2021

The proposed amendments were reviewed and approved by the Planning & Zoning Commission hearing held on Thursday, August 19, 2021:

- 2.3(8.1) Definition of Agritourism Activity
- 5.3 Recreational District
 - 5.3.1 Permitted Uses
 - 5.3.2 Conditionally Permitted Uses
 - 5.3.4 Off-Street Parking (NEW)
 - 5.3.5 Performance Standards (NEW)

Amendment recommendation – Definitions:

- 8.1) **Agritourism Activity** – means any activity, including farming and ranching activities, or any historic, cultural, or natural attraction, that is viewed or enjoyed by members of the general public, for educational, recreational, or entertainment purposes, regardless of whether the member of the general public pays to participate in the activity or to view or enjoy the attraction (See NDCC Chapter 53-13).

Amendment recommendations – UPDATES FOR THE RECREATIONAL DISTRICT

5.3 Recreational District - Purpose

The Recreational District is established to preserve areas for developed recreational activity and residency around rivers, lakes, and other watercourses and mountain or butte areas where development is controlled in order to maintain the quality of the environment. Developed recreational activity may include public or private businesses, services, or uses that support the tourism and hospitality industries for residents and visitors. Consistency and compatibility with the historic, aesthetic, and scenic value of the area is of great importance.

5.3.1 Permitted Uses:

- a) Public parks, playgrounds, trail rides, guided tours, walking or hiking trails, mountain bike trails, and other similar outdoor recreation facilities.
- b) Churches, schools, libraries, museums, and related facilities
- c) Hunting, fishing and trapping.
- d) Game animals, waterfowl, and fish farms.
- e) Harvesting of any natural crops.
- f) Ski slopes, cross country skiing
- g) Resorts, retreat center, conference center, lodge or any establishment with a combination of recreational facilities, meeting space, dining and lodging.
- h) Public utility and other transmission lines.
- i) Accessory buildings or structures to any permitted uses.

- j) Golf course, golf driving range, miniature golf course
- k) Agricultural uses – however, properties that do not meet the definition of a farm under section 2.3(45) may not raise or keep any livestock or poultry, or both, except as follows:
 - 1) Horses may be allowed within rural recreational subdivisions that request and are approved for an exception to the definition of a farm during the preliminary or final plat review by the County
- l) Riding arena, horse stable, rodeo grounds
- m) Agritourism activity, “dude ranch”, horse camp
- n) Auditorium, amphitheater, playhouse, theater
- o) Studios for professional work or teaching of the arts, photography, music, drama, dance, cooking, karate, computer use, yoga, and other similar uses.
- p) Swimming pools, skating rinks, and other indoor or outdoor sports and athletic facilities

5.3.2 Conditionally Permitted Uses:

- a) Recreational vehicle parks, and campgrounds.

The applicant shall meet the following requirements to obtain a permit:

- 1) The minimum area for a campground shall be five (5) acres and maximum number of recreational vehicles per gross acre shall be fifteen (15) units.
- 2) Submit a site plan showing the boundary of property, topographic information with contour intervals of no more than 5 feet; arrangement of streets, drives and access roads; location of service buildings; location and dimension of camp sites; location of sanitary facilities; location of water supply.
- 3) Submit proof of compliance with any applicable requirements of North Dakota Department of Health.

- 4) Obtain approval from the Commission for ingress and egress to the property.
- b) Single family dwelling units, cabins and seasonal residences on a minimum of 5 acres of land.
- c) Amusement parks, water-parks, zip lines, go-cart track, race track provided:
 - 1) The same not be constructed within 500 feet of a residential district; and
 - 2) Any floodlights used to illuminate the premises are so directed and shielded as not to be an annoyance to any developed residential property, highways and streets.
- d) Refreshment stands.
- e) Restaurants, bars, lounges, coffee shops, or other food and drink establishments.
- f) Temporary use permits for social events, including, but not limited to
 - 1) Bazaars, Carnivals, or Fairs;
 - 2) Musical Festivals or Events;
 - 3) Racing Events;
 - 4) Rodeos;
 - 5) Public gatherings for a single-purpose event.
- g) Retail shopping, spas, salons, guide/outfitter services and other tourism or recreational related business activities.
- h) Community center, convention center, dance hall
- i) Parking lots, parking garages

5.3.3 Lot Area and Yard Requirements

- a) The minimum lot area for the Recreational District shall be five (5) acres
- b) Each front yard must have a minimum depth of 75 feet
- c) Each side yard must have a minimum width of 25 feet
- d) Each rear yard must have a minimum depth of 25 feet
- e) The minimum lot width and minimum lot depth is that size which allows all applicable highway setbacks, lot area, and yard requirements to be met

5.3.4 Off-Street Parking

- a) Adequate off-street parking shall be provided for employees and customers of establishments in the Recreational District.
- b) Parking lots shall be complementary to the Recreational District and appropriately screened whenever possible by a fence, wall, berm, or hedge
- c) Lights used to illuminate the parking lot shall be so arranged as to reflect the light away from the adjoining premises.

5.3.5 Performance Standards

- a) Hillside Ridgeline District requirements may also apply
- b) Aesthetic guidelines
 - 1) Continuity of Design - All buildings, structures, fences, or other improvements to real property, whether new construction or alteration to an existing structure, shall promote the aesthetic values of rural Billings County and the City of Medora, as evidenced by the existing structures and the desire to conform existing property to the aesthetic significance of the area, including color, style, form, proportion, materials, and texture.
 - 2) Materials - The materials and quality of material which comprise a new building, structure, fence, or other improvement to real property, whether new construction or alteration to an existing structure, shall complement and blend with adjacent buildings and

the surrounding landscape. The materials and their quality shall include color, texture, trim, decoration, size, and grade.

- 3) Details - The details of a new building, structure, fence, or other improvement to real property, whether new construction or alteration to an existing structure, shall complement the existing architecture.
- c) Lighting requirements
- 1) Any floodlights used to illuminate the premises are so directed and shielded as not to be an annoyance to any developed residential property, highways and streets.
 - 2) Night sky friendly lighting is required.
- d) Landscaping shall be complementary to the Recreational District. Native grasses, shrubs, trees, and perennial flowers shall be used whenever possible.

The proposed amendments were recommended for approval by the Planning & Zoning Commission hearing held on Thursday, August 19, 2021.

The above Amendments were approved by the Billings County Board of County Commissioners on the _____ day of _____, 2021.

By: _____
Mike Kasian, Board Chairman

Attest: _____
Marcia Lamb, County Auditor/Treasurer